G R S IX-5]

Previous references

Mc 322-08 Sl

Later references

1918.

(Mc

Revenue

Fin

File No 129-18

Serial Nos 1-2

GENERAL AND REVENUE SECRETARIAT

Serial Nos 1-2

Part B for February 1919

SUBJECT

Elections-Rules for City Mc. Cls

1. Notification No 8297 Dt 7/1/19
Publishes the rules relating elections to city Mc. Cls

2. Notification No. 10929 Dt 24/2/19
Corrects certain errors & supplies certain omissions in Sl 1

Copy. No 10930-1 Dt 24/2/19 to Residents of city Mc. Cls Bangalore & Mysore for information

W D 1250—GPB—30,000 28-1 19

B. H. Narasimhaiya 10/3/19

1

[G R S III—1]

1918

GENERAL AND REVENUE SECRETARIAT

(Mun[illegible])

NOTES

File No 129/18

FILE HEADING

Election Rules for City - Mil Cls

From

No	Dated	Received
Diary No	Enclos / Spare Copies	Serial No

BRIEF ABSTRACT OF LETTER

NOTES AND ORDERS

Extract from Notes in L S G Mis 134 16 (Rules for the election of Town Mil Cls)

" x x x

19 As regards the City and Town Municipal Councils, the present election Rules may be allowed

[illegible]—First Sheet

WD 1252—GPB—20,000—18 11 1o

G R S III-2]

General and Revenue Secretariat

Ind File No. 129 of 1918

Serial No

Perhaps do both they may be consulted
(Sd) A R B
28/6/1917

allowed to stand unamended, because though they have not been properly worked, they are beginning to be understood and better results may be expected in the future

× × ×

(Sd) V. R. P
27 6 917

Second Member)

23 It does not appear that any Coy or Town Mal Cl was consulted Better to consult both the Cokes and a few selected town Municipalities

× × ×

(Sd) A R B
28-6-917

To the Presidents of the Bangalore & Kuppam Coy Mal Cl. No 361-8 & SC dt 30 6 917

Request them to consult the Coy Mal Cls a, to whether they consider that the Mal Ele Con. Rules, 1907 require any amendment in the light of their past working & if so in what respects and to furnish copies of their resolutions both existing in clean terms together with amendments proposed.

To the Deputy Commissioner Kolar No 1068/S 1/15
Subject a copy of the resolution of the Mal Coy Shetty

NOTE—Contn sheet

WD A 1750—GPB—60,000—30-8-18—E.

G R S III-2]

General and Revenue Secretariat

Md File No 127 of 191 8

Serial No

(b) The amendment may be accepted

(c) (i) The rule stating Rules have been framed under Sec 11 (c) of the Regn. These rules should be consistent with the Regulation The period of six months referred to in Rule 4 (VII) (a) is the period of six months next preceding the date on which the list of voters is required to be prepared or revised in Sec 12 (c) of the Regulation Under Rule 8 (V), (c) of the Election Rules the list of voters & candidates are required to be published on the 15th April. Those that have not paid the tax for the last year from July to Dec next preceding April cannot be included in the list.

The word 'next' may be inserted before the word 'prior' in line 1 of Rule 4 (VII) (a)

(ii) For inclusion actual payment of the tax is necessary 'Has been paying' in Sec 12 (c) means 'has paid' This is the Construction put & the amendment in

NOTE—Contn sheet

WD A 1759—GPE—60,000—30-8 16—S.

G R S III 2]

General and Revenue Secretariat

Serial No

Bombay File No 129 of 1918

on the Bombay Act VI of 1901 as amended, 1903

c (iii) The tax should have been paid for the next half year preceding the date of publication of the list of voters for purposes. Non payt. for previous half years would not be a disqualification

c (iv) Municipal tax is a local tax also. So the disqualification for person paying in one Municipality not to be qualified to vote or stand for election in another Municipality.

Land revenue is not a local tax. If the rule is so amended as to restrict the qualification to the Municipal area in which the land is situated it would not be inconsistent with the Regn.

c (v) Payment of Annual & Vehicle tax not below the aforesaid minimum would qualify a person to vote & stand for election.

Cal. The above remarks apply to Rule 6 (1) as well

The President thinks that

NOTE—Contn. sheet

WD A 1769—GPB—60,000—20-6-18—S.

G R S 111-2]

General and Revenue Secretariat | Mel File No 129 of 1918

Serial No

the privilege of Voting at Mel Elections may be conferred on Women. The Municipal Council (13 against 6 for) are against the proposal. At the time the present election rules were framed the question was considered by Govt & Hy the Maharaja was pleased to pass the following order on 16.1.1909.

"The rules are approved, with the exception of the proposed grant of votes to Women. Whether or not the case in a City like Bombay, I do not think that the time is ripe for such a measure in Mysore x x."

It is a point for consideration whether Conditions in the Bangalore City have so far changed since as to necessitate a reconsideration of the above decision at present.

Mel F. 332 of 1908
SII 8 May 1909

6 Submd for orders
HK
23 Apr 1918

The memorandum and enclosures suggested by Dewan and transmitted with

NOTE—Contn sheet

G R S III 2]

General and Revenue Secretariat

Ml File No 129 of 1918.

7

Serial No

7. Please see remark corrections on the old rules and also suggestions noted in margin of the rules. Please put up a typed copy of the revised rules as discussed in person. Sd

MRC 13/5

8 A typed copy of the rules as revised is submitted.
H.K.
25.5.1918 9 for orders.

2nd Member) 10 Approved MRC 25/5

11 Rule 1 of the Rules under Unlawful Instruction may be framed by the Committee 20/5

12 Let the Committee Rules in the Annexure be typed. 11-
30

13. For draft rules re. seizure of India bonds and the orders of the 2nd Member please see Pencil Sheets.

NOTE—Contn sheet

WD A 1760—GPB—60,000—20-2-19—J.

Ml 129 18

Add the following immediately after para 1 of rule 3 of the Municipal Election Rules for Cities and Towns.

If in any Municipality no less than one-eighth of the total number of voters belong to a particular community or religious or racial purposes no less than three-fourths of the number of voters belonging to such community may apply for the grant to them of the franchise to return one or more persons often community to the Municipal Council on receipt of such a

The no of voters who be on a div for election - the mayor - what so he must be the minimum

What ml area - those you may fix as the minimum for the Electorate

Matter for consideration

Yes

Nil 129-187-2

a representation Govt shall pass such order as they may deem fit.

4. In any municipality where there is any recognised ~~trade~~ association, such body or association may apply to Govt by a resolution passed by not less than three-fourths of the total number of members of such body for separate representation ~~of association~~ provided the strength of such body or association has been not less than 100 for a period of not less than six months next previous to the date of such resolution. Govt

2 (2) should read with subclause 4.

on the subscription by electors from among themselves.

Wl. 129 – 18 10

Govt. shall pass
Subordinates on the
representation such
orders as they may deem
fit

29.5.1918

An organisation ~~recently~~ to be recognised by Govt. should consist not less than ~~persons~~ the persons whom at least 3/4 the should be rate-payers who are eligible to be registered as voters at elections.

I.R.E. 129-1911 to-

Draft Amendments to the Municipal Election Rules, 1909.

The following rules shall be added after Rule 3

In a municipality, which is divided into divisions under Rule 3, of not less than 50 in the total number of voters in a division, belonging to or in a municipality which is not divided into divisions, of not less than one-fourth of the total number of voters in the municipality belonging to a particular Community, Caste, religion, or profession, and of not less than three-fourths of the number of such voters in any division of a municipality divided for electoral purposes into divisions under the foregoing rule not less than 50 and in a municipality not divided not less than 25% of the total number of persons eligible to vote belong to a particular Community Caste religion or profession then such voters may apply to Court provided that the application is made by not less than one fourth of their total number, for permission to elect one or more members of such Community Caste religion or profession and the Court may thereupon pass such orders as they deem fit

Such voters apply to Government for the grant to them of the franchise to return one or more persons of their community, the caste, religion or profession to the Municipal Council, the Government shall consider such representation and pass such orders as they may deem fit.

(3) If, in any Municipality, there is any recognised public body or association such body or association may apply to Government by a resolution passed by not less than three-fourths of the total number of members of such body or association for separate representation on

on the Municipal Council by election from among themselves. Provided that the strength of such body or association has not been less than 100 for a period of six months next prior to the date of such resolution and at least three fourths of them are rate-payers who are eligible to be registered as voters Government shall pass on the representation such orders as they may deem fit.]

and that not less than three fourths of the members are entitled to have their names entered in the lists of voters and the Govt may thereupon pass such orders as they deem fit.]

HK
30.7.1918

M 129—18 SEC 4

GEN. REVENUE 4
28 AUG 1918

S. III— 1

ROUTINE NOTES

[To be used only for notes, requisitions, etc., not intended for permanent record]

D 2944

Mr H.V.K

+ page 12 Mr

14 This may be kindly

Thanks to Mr:

J. P. Rajagopalachar

type submission &

three A.

MS

24/8/18

15—

SMK

Submitted

16 The opinion of the Govt Advocate on the proposed addition of the Electric Supply Rules as to enable Electric Inspectors to be properly appointed on the Mul. Council by Claiming of necessary expenditure, is submitted for perusal

17 If approved these additions may be incorporated in the previously approved Electric Supply Rules for Town and City Mul Councils

Mr Rajagopalachar has also seen these rules

MS

28.8.18

2nd Member) 29/8

HJ

S. C. M

Mr H V K—

20 Please prepare a correct copy of the rules as revised & make the additions where necessary— MS

21 Revised as per Order may they please issue

N B—Should routine notes be written on small slips the notes must be copied or slips pasted on this form

GRSM 592

Encl 15

D 2944

G.R.S. III—3]

ROUTINE NOTES

[To be used only for notes, requisitions, etc. not intended for permanent record]

22. I submitted the file to Mr. Y the Member this day. The Member instructed that the word 'city' should be substituted for the approval of the Bombay and the Town and Council for perusal

Put up the separate file linked accordingly —

MK
12/11/18

typed by Mr. Chauhan.

23 Attended to.

The typed draft rule in the file relates to the City Mal Cs.

The linked file below contains the draft rule for Town Mal Cs.

MK
12 11 1918

N B —Should routine notes be written on small slips, the notes must be copied or slips pasted on this form

(C.S. III—3)

NOTES

[To be used only for notes requisitions, etc., not intended for permanent record]

16

D 2944

INC 129.18

24. Submitted with reference to Members' decisions on page 15.

MS 12.11.18

Revised) 25 May be appd.

Lawman)

ber 12.11.18

No 2531
12-11-18

26 I am afraid Rule 4 in both these files runs against the terms of His Highness' reply to the Communal Representation. If the Second Member agrees, it may be omitted and the other rules issued. If, however, the Second Member is particular, the rules may be discussed in Council

E

2.12.18

27.

49
4-12-18

2nd Member) Agreeing to rule 4 being omitted

See 11 C(m)

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

GRSM SL 468

29) In my reply to de Lisle I shall refer to the Chief Secretary's letter of 12th inst. and state that I am unable to accept the recommendation

30) Chief Secy. with Compts.

ber 12.12.18

47

G.R.S III—3]

ROUTINE NOTES

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N B —Should routine notes be written on small slips, the notes must be copied or slips pasted on this form

Mc 129-18 . 17

(For Disposal at a Meeting) No. C. 461

12. 12. 1918

GENERAL AND REVENUE SECRETARIAT

COUNCIL MATTER

SUBJECT

(Clause ix of the Schedule)

Rules for the election of Municipal Councillors in City and Town Municipalities.

3/ CIRCULATED TO THE MEMBERS OF COUNCIL

By Order,

12th Decr. 1918 C Balasundaram Jr
Chief Secretary to Government

Extraordinary Member of Council

First Member of Council

Opinion recorded

1298-283 13 12 18 Second Member of Council

32

WD 2670—G.E.S.—1,000—11-6-17

Regular. 7

Subject.-Clause ix of the Schedule.

Rules for the election of Municipal Councillors in City and Town Municipalities

Opinion of the Council.

33 Draft rule to be revised so as to substitute "section of the inhabitants" for "particular Community etc

19 12 18

34 Forwarded, with compliments, to the Secretary to Government, Revenue Department, for necessary action

35

36 Clean typed copy of the G.O. to be sent to Govt

23 12 18.

37

26 12 18

26 12 18

Mr 129-19 19

38 Submitted to His Highness.

In connection with the reconstitution of the City Municipal Council of Bangalore under the Local Self Government Scheme, the Municipal Council suggested that instead of the number of elected Councillors among the several divisions being fixed with reference to the ratio of the population of the divisions to total population, it might be based upon the population, the number of voters and the total revenue under assessed taxes. In making this amendment in the rules, I considered it necessary to make suitable provision therein for election by sections of inhabitants and by public bodies and associations, (Vide Section 11 (c) (ii) of the Municipal Regulation) and ordered that the rules may be amended accordingly and separate sets of rules for City and Town Municipal Councils might be put up. No rule was framed under this clause till now and, as I referred to this provision in my reply to the speeches in the Legislative Council urging Communal Representation, I considered it necessary to frame a rule to provide for franchise being given to sections of inhabitants. I also directed that the revised rules for City Municipal Councils should be submitted for approval of the Dewan.

(ii) On the draft rules being submitted to him, Sir M. Visveswaraya recorded the following minute on 2-12-1918 " I am afraid Rule 4 in both these files goes against the terms of His Highness's reply to the communal representation deputation. If the Second Member agrees, it may be omitted and the other rules issued. If, however, the Second Member is particular, the - rules may be discussed in Council."

(iii) The rules were considered at the meeting of the Council held on 19-12-1918 The opinion of the Council is that rule 4 in question may be retained but that the words used in Section

20

Section 11 clause (c) of the Municipal Regulation, viz , "any one section of the inhabitants" may be substituted for the words" a particular community, caste, religion or profession in para 1 of the rule.

(iv) The rule has been amended in accordance with the resolution of the Council.

draft for approval (v) The revised rules may be graciously approved.

Hom

C Thomson

28 12 18

Jul 129-18

2f

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject

Rules for the election of Municipal Councillors in City and Town Municipalities.

762

Order

39 ~~K.R.W.~~
4/1/19

40 Revenue. Enquiries about
CL
F-1

41 Issue
Govt
6.1.19

G R S III-2]

General and Revenue Secretariat | ML File No 129 of 1918

Serial No. 1

Published at pages 13 to 20 in Part III of the Fort St. George Gazette dt. 14-1-1919

Notn. No 8297 & 7-1 1919
Publishes Rules relating to Elections to Leg Councils.

42 Keep this & be circulated to Members of Council for favour of perusal of H's orders.

chief Sec'y) 10/1/19

43 In pursuance of H's orders

2nd member, Temp'y member } 15/1/19

44 Secy

Rect 17/1/19

17/1/19

45 Secy

17/1 M 46 file

47 Draft Notn correcting certain errors & supplying certain omissions in the rules as published in the Gazette is submitted

A.K. 21-2-1919

48 Issue 21/2

30.22.34.6 15-1-19

269 19 9

Notes—Contin. at foot.

WD A 1785—GPB—60,000—20-8-18—S.

G R. S III-2]

General and Revenue Secretariat

NC File No 129 of 1918

Serial No 2

Notn no 109298 24 2 19
Corrects certain errors &
Supplies certain omissions
in SII

Published at page 13 (Secc) in PI-III of the Mysore Gazette 8 25 2 1919

D.

NOTE—Contin sheet

Election Rules for Cl-Mun Cs 24

G E N E R A L.

No. 4058 - Ml. 173-13-2,
Dated 3rd October 1913.

In exercise of the powers conferred by Section 11 (c) of the Mysore Municipal Regulation, VII of 1906, Government direct that in the Municipal Election Rules, 1909, published under Government Notification No. 1859-Ml. 322-08-1 dated 25th January 1909, the words "President of the Municipal Council" shall for "Deputy Commissioner" wherever they occur, so far as the Bangalore City Municipality is concerned

"By Order"

(Sd) K. R. Srinivasdengar,

Secretary to Government,
General & Revenue Departments.

REVENUE

No 1588—*Ml* 92 15-1, *dated* 20*th August* 1915

In exercise of the powers conferred by Section 11 (*c*) of the Mysore Municipal Regulation, VII of 1906, the Government of His Highness the Maharaja are pleased to direct that in the Municipal Election Rules, 1909, published under Government Notification No 1859—Ml 322-08 1, dated the 25th January 1909 and amended by Notification No 9283—Ml 322 08 8, dated the 24th March 1909, the words 'President of the Municipal Council shall be read for "Deputy Commissioner wherever they occur, so far as the Mysore City Municipality is concerned

By Order,
V R THYAGARAJA IYER,
Secretary to Government,
Revenue Department

...o are subjects of Mysore or of any other State in ... qualified as voters under Section 12 (*a*) and (*b*) of the Regulation and the following persons of the male sex, shall be entitled to have their names entered in the list of voters, *viz* —" etc

By Order,
L KRISHNA RAO,
Offg Secretary to Government,
Revenue Department

NOTIFICATION

No 6859—Ml 322-08-1, dated 25th January 1909

In exercise of the powers conferred by Section 11 (*c*) of the Mysore Municipal Regulation, No VII of 1906, and in supersession of the existing Rules on the subject, the Government of His Highness the Maharaja of Mysore are pleased to make the following Rules prescribing the qualifications of voters and candidates at elections of Municipal Councillors in every Municipality in which the elective system is introduced, and regulating the conduct of such elections

PRELIMINARY

1 These rules may be cited as "the Municipal Election Rules, 1909"

Title of these rules

2 In these rules (i) "a new Municipality" means a Municipality newly established by the Government of His Highness the Maharaja of Mysore, but of which the first Municipal Councillors have not yet entered upon their office,

Definitions

(ii) "the Deputy Commissioner" means in the case of City Municipalities the Deputy Commissioner of the District in which the Municipality in question is situate and in the case of other Municipalities includes an Assistant Commissioner to whom the Deputy Commissioner may delegate, as he is hereby empowered to delegate, any of his powers or duties under these rules

(iii) "the Regulation" means the Mysore Municipal Regulation, No VII of 1906

DIVISIONS

3 (i) If the population of a Municipality, as ascertained at the latest general census, is not less than six thousand, the Deputy Commissioner, in the case of a new Municipality and the Municipal Council in every other case, may divide the said Municipality for electoral purposes into two or more divisions, the boundaries of which shall be clearly defined, and, when such a division has been made, shall apportion the number of elective Councillors over the said divisions, in the proportion, as nearly as may be, which the population or estimated population thereof bears to the population of the entire Municipality

Dividing of Municipalities into Divisions and apportioning elective Councillors thereover

(ii) The divisions into which the Municipalities of Bangalore and Mysore are at present divided for electoral purposes, and the number of elective Councillors at present apportioned over the several divisions shall be deemed to have been fixed and apportioned under clause (i)

(iii) The Municipal Council may, from time to time, alter the number and boundaries of the divisions and re-apportion the number of elective councillors among the divisions provided that except with the sanction of the Government no such alteration or re-apportionment shall take effect within six months from the date on which it is made and that every such re-apportionment be made in the proportion aforesaid

QUALIFICATIONS OF VOTERS AND CANDIDATES

4 Unless disqualified under Section 21 of the Regulation by being less than 21 years of age, all persons qualified as voters under Section 12 (*a*) and (*b*) of the Regulation and the following persons of the male sex, shall be entitled to have their names entered in the list of voters, *viz*

Qualifications of voters

Amended by Notification No 6983—Ml 322-08-3 dated 26th March 1909

(i) First and second grade pleaders holding Sannads from the Chief Court of Mysore,

(ii) Persons upon whom titles have been conferred by the Government of India, or, by His Highness the Maharaja of Mysore,

(iii) Servants of Government, or of any public body, or of any corporation, or of any company registered under Regulation, III of 1895, whose salary is not less than Rs 50 per mensem (in the case of Bangalore and Mysore Cities, and Rs 15 in the case of other towns)

(iv) Patels and shanbhogs actually doing the duties of their respective offices,

(v) Persons in receipt of pension of not less than Rs 15 per mensem from Government, or, from any public body, or corporation or company registered as aforesaid, and

(vi) Registered Land-holders whose holdings are assessed (or in the case of alienated lands, would be assessed if they were not alienated) to the land revenue at an amount not less than such sum as shall be fixed by Government in respect of each Municipality

} who have been residents of the Municipality for not less than six consecutive months prior to the date of the publication of the list of voters

(vii) (a) Persons who have paid for a period of not less than six months prior to the date of the publication of the list of voters, Municipal taxes, other than octroi or toll, of an amount not less than such sum as shall be prescribed by Government under Section 12(c) of the Regulation by a notification in respect of each Municipality

(b) Persons who have been during the period aforesaid the occupiers as owners, mortgagees or tenants of buildings on account of which there has been paid for such period a tax of not less than the amount fixed under the above para

(viii) In the case of a new Municipality,

(a) persons holding immovable property within the Municipality valued by the Deputy Commissioner, or such Officer as he appoints in this behalf at Rs 250 or more,

(b) persons who have paid in respect of the year immediately preceding the election, mohatarfa tax of an amount not less than Rs 4, and

(c) persons who have been residents of the Municipality for not less than six consecutive months prior to the date of publication of the list of voters and who have paid to Government or to an Inamdar for the last revenue year previous to the said date, on account of land revenue, or, of rent of land, a sum of Rs 30 or more

Provided that—

(a) when any qualification prescribed by this rule is possessed by an undivided family, or any association or body of individuals, other than a company or firm, or any trustees, being two or more in number of any building or land, any one individual person duly authorised in this behalf by the members of such family, association, or body, or by such trustees, and when such qualification is possessed by any company or firm, the resident member, manager or agent thereof shall, unless he is disqualified under Section 21 of the Regulation on account of being less than 21 years of age, be entitled to have his name entered in the list of voters on behalf of such family or association or body or trustees or company or firm,

(b) if any person whose name is entered in the said list under proviso (a) possess, on his own separate account any qualification prescribed as aforesaid, he shall be entitled to have his name entered in the said list separately on his own account,

Draft of Rules Framed

Each Rule 4 VII(a) may be so amended as to make it clear on the following points.

(i) What is the period of not less than three months prior to the date of publication of the Voters' list.

This is clear and is what was intended. It is the word "next" before "three" is misleading.

(ii) Whether a person whose name is on the demand register for the minimum tax but who has not paid the same is eligible to be included in the list of Voters

(iii) What is the period with reference to which the minimum tax is payable

(iv) Whether a person paying the minimum municipal taxes in some Municipality or paying land revenue anywhere in the State is entitled to vote in a Municipality both the same taxes are not paid

No change appears to be necessary

(v) Whether the minimum tax could be any thing other than either or both i.e. annual & vehicle tax.

Government Notes.

(i) The Mal Election Rules have been framed under Sec 11(c) of the Regn. These rules should be consistent with the Regulation. The period of three months referred to in Rule 4 VII (a), is the period of three months next preceding the date on which the list of Voters is required to be prepared or revised u/s 11(c) of the Regn. Under Rule 8(i)(c) of the Election Rules the lists of Voters & Candidates are required to be published on the 7th April those that have not paid the tax for the half year ending 31st March next preceding April cannot be included in the list.

The word 'next' may be inserted before the word 'prior' in line 1 of Rule 4(a).

(ii) Yes inclusion actual payment of the tax is necessary.

(iii) The tax should have been paid for the next half year preceding the date of the publication of the list of Voters. Non payment for the previous half years would not be a disqualification

(iv) Mal tax is a local tax. So the person paying it in one municipality will not be qualified to vote or stand for election in another municipality.

Land revenue is not a local tax & the Rule is to be amended so as to restrict the qualification to the Mal area in which the land is situate it would not be inconsistent with the provisions of the Mal Regn

Yes.

NOTIFICATION

No 9284—*Ml* 322-08-4, *dated* 24*th March* 1909

With reference to paras VI and VII (*a*) of Rule 4 and sub-paras (*e*) and (*f*) (1) of para 1 of Rule 6 of the Municipal Election Rules published under Notification No 6839—Ml 322-08-1, dated the 25th January 1909, and amended by Notification No 9283—Ml 322-08-3, dated 24th March 1909, the Government of His Highness the Maharaja of Mysore are pleased to fix the following minima of taxes payable by persons to entitle them to be entered in the list of voters as voters and candidates —

Items	Amount payable for purposes of Rule 4	Amount payable for purposes of Rule 6
Land Revenue	Rupees 5 in the Bangalore or Mysore City Municipality ~~Rs. 1 in other Municipalities~~	Rupees 10 in the Bangalore or Mysore City Municipality ~~Rs. 5 in other Municipalities~~
Municipal Taxes (including Mohatarfa)	Rupees 2½ in the Bangalore or Mysore City Municipality ~~Re. 1 in other Municipalities~~	Rupees 5 in the Bangalore or Mysore City Municipality ~~Rs. 2½ in other Municipalities~~

By Order,

K S CHANDRASEKHARA AIYAR,

Secy to Govt, Gen & Rev Depts

(c) except in the case mentioned in proviso (b) no person shall be entitled to more than one vote although he be qualified under two or more of the tests of qualification prescribed by this rule or by Section 12 of the Regulation

Voters entitled to vote in one division only

5 When a Municipality is divided for electoral purposes into divisions, each voter shall be entitled to vote in the division in which he resides, or in the case of a qualification arising from the payment of Municipal taxes, in the division in which his liability to pay the same occurs

Provided that—

(a) no person shall be entitled to vote in more than one division ,

(b) any person possessing the qualifications of a voter in connection with more than one division shall be at liberty to choose for which of such divisions he shall be entitled to vote, and failing his doing so within a week after public notice has been given calling upon all such persons to make their choice, shall be entitled to vote in such division as the Municipal Council, or, in the case of a New Municipality, the Deputy Commissioner shall determine

What person may be candidates at a Municipal election

6 (1) Voters of the classes described below shall, unless illiterate or disqualified under Section 15 of the Regulation, be qualified to be candidates for Municipal Councillorship at such election —

(a) persons mentioned in Section 12 (a) and (b) of the Regulation,

(b) persons mentioned in paras (i), (ii) and (iv) of Rule 4 *supra*,

(c) persons described in para (iii) of the above-said rule if their pay is not less than Rs 100 in the case of the Bangalore and Mysore City Municipalities and Rs 40 in the case of other Municipalities,

(d) pensioners of the kind described in para (v) of Rule 4 *supra*, provided that their pension is not less than Rs 50 a month in the case of the Bangalore and Mysore City Municipalities and Rs 15 in the case of other Municipalities,

(e) Registered land-holders whose holdings are assessed (or in the case of alienated lands would be assessed if they were not alienated) to the land revenue at an amount not less than such sum as shall be fixed by Government in respect of each Municipality,

(f) (1) persons paying Municipal taxes of amounts not less than those to be prescribed by Government for each Municipality,

(2) persons who have been the occupiers as owners, mortgagees or tenants of buildings on account of which there has been paid a tax of not less than the amount fixed under the above sub-para, and

(g) in the case of New Municipalities, (i) all persons mentioned in (a), (b), (c) and (d), (ii) persons owning immovable property valued at not less than Rs 600, (iii) persons who have paid in respect of the year immediately preceding the election, mohatarfa tax of an amount not less than Rs 8 and (iv) persons who have paid a sum not less than Rs 60 as land revenue or rent of land for the last revenue year previous to the publication of the list of voters

(ii) If the Municipality has been sub-divided for electoral purposes into divisions, any person whose name is entered in the list of voters as entitled to vote in one division may be a candidate for election either in the division for which his name is so entered or in any other division

List of Voters and Candidates

By whom and in what manner and at what periods list of voters and candidates is to be prepared

7 (1) The Deputy Commissioner shall, from time to time, appoint an officer of the Municipal Council, or in the case of a new Municipality any person whom he thinks fit, to prepare a list of voters This list shall also indicate what persons shown therein are eligible to be candidates at elections

Amended by Notification No 7283—MI 32-08 3 dated 24th March 1909

(II) If the Municipality has been divided for electoral purposes into divisions, such list shall show the persons entitled to vote in each division separately

(III) In the case of a Municipality, whether a new Municipality or not, to which elective Councillors are to be appointed for the first time after these rules come into force, the said list shall be prepared as soon as may be after it has been notified by the Government that the Municipal Council shall consist wholly or partly of such Councillors

(IV) Similar new lists shall be prepared every year by an officer of the Municipality as aforesaid This provision shall apply also to the City Municipal Councils of Bangalore and Mysore

Publication of lists

8 (I) Every list prepared under Rule 7 shall be published by affixing a copy thereof, in the case of City Municipalities, in English and Kanarese, and in the case of other Municipalities, in Kanarese and in English also, if considered necessary by the Deputy Commissioner or by the Municipal Council, at the Municipal Office, or in the case of a new Municipality, at the chavadi and at such other conspicuous place or places within the Municipality, as the Municipal Council, or, in the case of a new Municipality, the Deputy Commissioner shall appoint at least two months before the date herein below specified, *viz* —

(*a*) in the case of an existing Municipality, for which a new constitution is for the first time notified by the Government under Section 11 of the Regulation, the date fixed by the Government for the commencement of the new constitution of such Municipality,

(*b*) in the case of a new Municipality, such date as the Deputy Commissioner in his discretion, fixes for the commencement of the terms of office of the first Municipal Councillors, and

(*c*) in respect of every list of voters after the first, the first day of June or other date the Government may determine by notice to be given in that behalf and to be affixed at the Municipal Office

(II) (In the case of city Municipalities) the list prepared under Rule 7 shall be published also in the official Gazette both in English and in Kanarese

Revision of lists

9 (I) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein, any person whose name is entered in the said list and who is eligible to be a candidate at election but who is not shown as such therein, and any person whose name is entered in the said list who shall think that the name of some other person has been wrongly entered therein as a voter, or as a voter and candidate, may apply in writing within a fortnight from the date of publication of the list, to the officer or other person appointed under Rule 7 to prepare the list, for the amendment thereof

(II) The officer or other person appointed as aforesaid shall forthwith forward every such application with his report thereupon, for the decision of the Municipal Council (or, in the case of a new Municipality, of the Deputy Commissioner)

(III) The officer or other person appointed to prepare the list may also bring to the notice of the Municipal Council, or, in the case of a new Municipality, of the Deputy Commissioner, within a fortnight from the date of publication of the list, any additions to, or corrections in, the list which he shall discover to be necessary, otherwise than on the application of any person interested therein

(IV) Notice of every application under Sub-Section (I) and of every reference under Sub-Section (III) should be given by the Municipal Council, or, Deputy Commissioner receiving the same to any person affected thereby and the Municipal Council at its next meeting, or, the Deputy Commissioner on such early date as he may fix in this behalf in the notice, shall consider and pass order on such application or reference A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order, whether upon an application or a reference shall without delay be communicated to each person, if any, whose name is thereby ordered to be removed from the list of voters, or, who is declared ineligible to be a candidate at election

(v) An appeal shall lie to (the Deputy Commissioner) from the decision of a Municipal Council on any such application, or, reference, but (the Deputy Commissioner) may decline to entertain any appeal which is not presented within ten days from the date when the decision of the Municipal Council is communicated to the appellant.

(vi) Every order passed by the Deputy Commissioner) under this rule shall be final

Publication of additions, etc, made on revision of list

10 (i) All additions to, and corrections in, the list of voters and candidates, made under the authority of the Municipal Council, or (of the Deputy Commissioner) on appeal or otherwise, shall be published in the manner prescribed in Rule 8 at least fourteen days before the date specified in that rule

Custody of list

(ii) Every list of voters prepared with all additions thereto and corrections therein made under these rules shall be entered in a book, each page of which shall be sealed with the common seal of the Municipal Council, and the said book shall be kept in the Municipal chest or safe under lock and key, and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Time and Place for Elections

Deputy Commissioner to fix and publish times and places for elections

11 The dates on which, the hours during which, and the places at which Municipal elections shall be held shall be fixed by the (Deputy Commissioner) by written notice published in English and Kanarese, not less than fifteen days before the earliest date prescribed in such notice, and copies of the notice shall be affixed at the Municipal Office, or, (in the case of a new Municipality, at the chavadi,) and at such other conspicuous place or places within the Municipality as the Municipal Council, or, (in the case of a new Municipality, the Deputy Commissioner,) appoints for this purpose

Voters at Elections

What persons may vote at a Municipal election

12 (i) Only those persons shall be entitled to vote at a Municipal election, whose names are entered in the revised list of voters and candidates of the Municipality in which such election is held, last published before the date of election

(ii) If the Municipality has been subdivided for electoral purposes into divisions, the said persons shall be entitled to vote only in the division for which their names are, respectively, entered in the said list

Nomination of Candidates

Nomination how and by whom to be made

13 (i) Every person who desires or is willing to become a candidate for a Municipal Councilorship and who is shown in the list of voters and candidates as eligible to be a candidate at the election must be nominated in writing for this purpose by two persons entitled to vote at the election for such Municipal Councilorship, and the nomination paper must bear an endorsement signed by the nominee signifying his willingness to serve, if he should be elected, and be delivered to the officer appointed by (the Deputy Commissioner) for this purpose at least ten days before the date fixed for election

(ii) The said officer shall, if any nomination paper is prepared and delivered to him in accordance with Sub-Section (i) and if the nominators establish to his satisfaction that they are entitled to vote at the election and that the nominee is qualified as a candidate, include the nominee's name in a list of candidates which shall be prepared under his signature and posted up at the Municipal Office, or, in the case of a new Municipality, at the chavadi, or other place the Deputy Commissioner appoints for this purpose,) and at the place at which the election is to be held and in other conspicuous places, at least five days before the date fixed for election

(iii) When (in a Municipality which has been subdivided for electoral purposes into divisions) elections are to be held at or about the same time in two or more divisions, one and the same person may be nominated for election in all or in any number of the said divisions

Conduct of Elections

14 A Polling-officer shall be appointed by the President of the Municipal Council, or, in the case of a new Municipality, by the Deputy Commissioner to preside at each place at which an election is to be held and to receive votes thereat If possible, the Polling-officer shall be a person who is acquainted with, and therefore able to identify, the voters or the greater number of them

Appointment of Polling officer

15 Every voter may vote for as many candidates as there are Councillors to be elected for the Municipality or division as the case may be A vote for any person whose name is not included in the list of candidates published under Rule 13, shall not be received

For how many and for what persons votes may be given

16 Voters must vote in person

Voters to vote in person

17 The votes shall be given by ballot

Voting to be by ballot.

18 The ballot of each voter shall consist of an envelope supplied at the Polling Office, on the face of which the number of vacancies to be filled and the names of candidates for election whose nominations have been included in the list of candidates under Rule 13 shall be printed or legibly written, but the name of any candidate who may have subsequently withdrawn his candidature should be scored out by the President of the Municipal Council, or, ~~in the case of a new Municipality, by the Deputy Commissioner,~~ or the Polling-officer under the orders of the President ~~or the Deputy Commissioner as the case may be~~ The voter shall write his name and number inside the envelope and hand it over to the Polling-officer, who shall, after seeing that the name and number of the voter are legibly entered, close the envelope, seal it or sign across the flap and give it to the voter In the case of illiterate voters, the Polling-officer shall enter their name and number inside the envelope

Description of ballot

19 (i) The voter shall then go into a private cubicle, which shall be provided within the polling booth, score out the name or names of the candidates for whom he does not vote, retaining the name or names of the candidates, not exceeding the number of persons to be elected, for whom he votes and himself drop, without the Polling-officer seeing for whom he has voted, the envelope into the ballot box

Procedure in voting

(ii) The ballot box shall be so constructed that the ballot paper can be introduced but not extracted without the box being unlocked and it shall be securely sealed by the President of the Municipal Council with the Municipal seal, ~~or, in the case of a new Municipality, by the Deputy Commissioner with the Deputy Commissioner's seal~~ The President ~~or the Deputy Commissioner, as the case may be,~~ shall certify in writing that the box is empty and hand it over personally to the Polling-officer at the Polling Office on the day of election

Provision of ballot boxes

(iii) One or more boxes so sealed shall be provided by the Municipal Council or, ~~in the case of a new Municipality, by the Deputy Commissioner~~ or such officer as ~~he appoints in this behalf~~ for each place at which votes are to be received ~~The cost of boxes so provided in the case of a new Municipality shall be paid by the said Municipality as soon as may be, after its first Councillors come into office~~

20 No vote shall be received by the Polling-officer from any person who, under Rule 12, is not entitled to vote

What votes shall be allowed by the Polling officer

21 The Polling officer shall satisfy himself as to the identity of the persons tendering votes, and may refuse the vote of any person who declines to answer any reasonable question put to him for this purpose or whose identity is not established to his satisfaction He is also responsible for seeing that the votes shall be recorded with absolute secrecy, that no person who is not entitled to vote shall be admitted to the polling booth and that persons who have recorded their votes shall leave the booth immediately

Polling officer to satisfy himself of identity of persons tendering votes etc

Voting boxes how to be disposed of by Polling officer

22 After the close of the poll, the Polling-officer shall forthwith forward the box or boxes aforesaid with its seal or their several seals intact, to the President of the Municipal Council, or to such Municipal Councillor, or, officer as the President appoints in this behalf, ~~or, in the case of a new Municipality, to the Deputy Commissioner or to such officer as the Deputy Commissioner appoints in this behalf~~

Determination of Results of Elections

Scrutiny of votes and declaration of results of elections

23 (1) The boxes aforesaid shall be opened in the presence of the Municipal Councillors at a special general meeting convened for this purpose, ~~or in the case of a new Municipality, in the presence of the Deputy Commissioner, or of such officer as the Deputy Commissioner appoints~~ in this behalf

(11) The votes shall then be scrutinized and those that are valid counted by such persons as the meeting, ~~or the Deputy Commissioner, or other officer aforesaid~~ appoints in this behalf Any ballot paper on which the names of more candidates are retained than there are persons to be elected, shall be invalid

(111) The results of the election on being ascertained at a special general meeting of the Municipal Councillors shall be declared by the presiding officer of such meeting and shall be recorded in the minutes of the proceedings of the meeting ~~In any other case, the result shall be declared by the Deputy Commissioner, or by the officer appointed by him as aforesaid.~~ Provided that no candidate shall be considered as elected unless he secures the votes of at least one-eighth of the total number of persons entitled to vote

Proceedings when two or more candidates have an equal number of votes, etc

24 (1) If there is an equal number of votes in favour of each of two or more candidates for one Councillorship, the selection of one of such persons shall be made by lot by the presiding officer of the aforesaid meeting, in such manner as the meeting shall determine, ~~or, in the case of a new Municipality, by the Deputy Commissioner or by the officer appointed by the Deputy Commissioner as aforesaid, in such manner as the Deputy Commissioner or the said officer shall determine~~

(11) In the event of any person being elected for two or more divisions, such person shall be at liberty to choose the division which he will represent and failing his doing so within forty eight hours after the declaration of the result of the election, he shall represent such of the said divisions as the (Deputy Commissioner) shall determine In every other division for which the said person has been returned other than the one which he elects to represent or which it is determined as aforesaid that he shall represent, the result of the election shall be determined as if no votes had been recorded for him

Custody and Destruction of Voting-papers

Safe custody of voting papers and Polling-officer's memoranda

25 When the voting-papers have been scrutinized, they shall be replaced in the box from which they were taken, and the box, after being locked and sealed with the Municipal seal, (or, in the case of a new Municipality, with the Deputy Commissioner's seal,) shall be kept by the President of the Municipal Council, (or, in the case of a new Municipality, by or under the direction of the Deputy Commissioner,) in safe custody for a period of fifteen days from the date of the declaration of the result of election

Eventual destruction of voting papers and Polling officer's memoranda

26 (1) On the expiry of fifteen days from the said date, or, if an application regarding the election is made to the District Judge under Section 22 of the Regulation, and such application is not finally disposed of before the expiry of fifteen days from the said date, then whenever such application has been finally disposed of, the voting papers shall be destroyed in the presence of such Municipal Councillor or officer as the Municipal Council appoints for this purpose, (or, in the case of a new Municipality, in the presence of the Deputy Commissioner or of such officer as the Deputy Commissioner appoints in this behalf,)

(11) On receipt from any person of a written intimation that he has made an application regarding the election as aforesaid, the Municipal Council, or in the case of a new Municipality, the Deputy Commissioner, or other officer appointed by him as aforesaid, shall cause the voting-papers to be kept, pending the final disposal of the said application

GAZETTING THE RESULTS OF ELECTION

Publication of results of elections in the *Mysore Gazette*

27 The result of every election declared at a special general meeting under Rule 25 shall be certified by the presiding officer of such meeting to the Deputy Commissioner who shall report the same to the Government for being notified in the *Mysore Gazette* The Deputy Commissioner shall also report to the Government the result of every election declared under the said rule by himself, or, by an officer appointed by him for being published in the said Gazette

Bye elections

28 On a vacancy occurring in a Municipality between two general elections, it shall be reported by the President of the Municipal Council to the Deputy Commissioner who shall report it to the Government and the above rules shall apply to such bye-elections except Rules 9 and 10 The last revised list of voters and candidates shall be published and persons entered in that list, unless disqualified in the meantime, shall alone be considered entitled to vote or to be elected Provided that no bye-election shall, except with the sanction of the Government, be held later than one month after the vacancy is reported

By Order,

K S CHANDRASEKHARA AIYAR,

Secy to Govt, Gen and Rev Depts

G R S VI—G/32]

SUBJECT

Diary No of letter replied to L.S.G. Proc 134

GENERAL AND REVENUE SECRETARIAT,
( )
, the 191

Section
File No
Serial No

No 361-8/L.S.G. dt 30-6-1917.

Date of issue

Signed by

To

The President of the Bangalore
Cantonment Municipal Council

Sir,

With reference to the Municipal Election Rules, 1909, I am directed to request you to be so good as to consult the Municipal Council of the Cantonment as to whether they consider that the said rules require any amendment, in the light of their past working and if so in what respects.

Over

3b

I am also to request that a copy of their resolution indicating in clear terms the amendment proposed may be submitted before the 15th August 1917.

(Sd) ARB 30.6.17

I have &c.

(Sd) V.R.T. 29.6.17

Secy to Govt Revenue.

on Special Duty.

List of enclosure

Copied by

Examined by

WD 25—GPB—50,000—15-11-16

7

No 23

THE CITY MUNICIPAL OFFICE, MYSORE,

Dated 17th August 191 7

From

T G Lukshmaiya Rao, Esquire , L. C. E.,
President, City Municipal Council,
Mysore

To

V R Thyagaraja Iyer, Esquire. , M A.,
Secretary to the Govt of Mysore,
Revenue Department on
Special duty,
Bangalore.

SIR,

With reference to your letter No 361-8/L S dated30th June 1917 re' the amendment of the Election Rules of 1909 and your reminder No 482/L S G dated 16th August 1917 thereon, I have the honour to inform you that the matter is pending before the Rules, Bye-laws and Regulation Committee and a reply will be submitted as soon as it is disposed-off by the Council

I have the honour to be,

Sir,

Your most obedient servant,

T Lukshmaiya Rao

President.

From

The President, City Muni
Council, Mysore

To

Secy to Govt of Mysore,
Rev Dept
re special sanity
Bangalore

Dated
Despatched } 17th Aug 17

Received

General No 23
No

Enclosure No Nil

Informing that the amendment of the election Rules is pending before the Rules and bye laws and Regulation Committee

17/8/17

No 91

The City Municipal Office, Mysore,
Dated 16th November 1917

From

T. G. Lukshmana Rao, Esquire., L.C.E.,
President, City Municipal Council,
Mysore

To

B Ramaswamaiya, Esquire , B.A., B.L ,
Secretary to the Govt of Mysore,
Revenue Department
BANGALORE

Sir,

With reference to your letter No 361-8E S G dated 30th June 1917 and subsequent reminder thereto calling for the views of the Municipal Council regarding amendments to the Municipal Municipal Election Rules, 1909, I have the honour to state that the matter is pending before the Bye-laws and Regulations Committee to whom it has been referred by the Council. The report of the Committee will be ex-pedited and submitted to Government after placing the same before the Council in their next sitting

I have the honour to be,

Sir,

Your most obedient servant,

T G Lukshmana Rao

President

MRV.

From

The President, City Muni
Council, Mysore

To

The Secy to Govt of Mysore,
Rev Dept

Bangalore

Dated 16-11-17

Despatched 17-11-17

Received

General No 81
No

Enclosure No =

Stating that the question
re- Amendments to the Mys
Election Rules is pending before
the Revised Bye laws and Regulations
Committee.

NO. 106 Rev

Office of the President,
City Municipal Council, Mysore
18th JANUARY 1918.

From

T. G. Lukshmana Rao, Esquire , L. C. E.,
President, City Municipal Council,
Mysore

To

V R ,Thyagaraja Iyer, Esquire , M.A ,
Revenue Secretary, on special duty,
BANGALORE

Sir,

With reference to your letter No 361-8/L S G dated 30th June 1917 enquiring whether the Municipal Council consider that the Municipal Election Rules of 1909 require any amendment, in the light of their past working, I have the honour to state that the Municipal Council in their meeting held on 12th January 1918 have resolved that they do not consider that any alterations in the existing election Rules to be necessary at present A copy of their resolution XXIII dated 12th January 1918 is herewith sent for kind perusal

I have the honour to be,
Sir,
Your most obedient servant,

T. G. Lukshmana Rao
President.

MRV

GPB—50,000—18 9-15

From The President, City Municipal Council Bangalore

To The Secy to Govt Rev Department Bangalore

Dated 18/1/18

Despatched 21/1/18

Received 23 JAN 1918

General No 106

No

Enclosure No one 4471

Stating that any No alterations in the existing Election Rules to be necessary at present.

D.S.G. Note Please

MMS

Proceedings of the 16th (ORDINARY) meeting of the Municipal Council for the City of Mysore held in the MAHARAJA Memorial Hall at 8 A.M. on SATURDAY the 12th JANUARY 1918.

Present.

1. T. C. Lukshmana Rao, Esquire., L.C.E., President.,
2. C. Narayana Rao, Esquire., B.A., B.L., Vice-President.,
3. J.V. Carvo, Esquire., D.P.H., etc., Health Officer.,
4. M. Venkatakrishnaiah, Esquire.,
5. K. Chandrasekaraiah, Esquire., B.A., B.L.,
6. H. Seetharamiah, Esquire.,
7. Mahammad Jaffar Sahib, Esquire.,
8. B.R. Krishnamachar, Esquire., B.A., B.L.,
9. R.G. Hardikar, Esquire.,
10. V. Thiruvengadam Mudliyar, Esquire.,
11. Lokasevaniratna Amble Ammiah Pandit, Esquire.,
12. Madanna, Esquire.,
13. M.H. Ranga Iyengar, Esquire.,
14. Dharmaprakasha Ramaiah, Esquire.,
15. K. Srikantiah, Esquire.,
16. M. Doddachar, Esquire., B.A.,
17. T. M. Siddappa, Esquire.,
18. A. Krishna Rao, Esquire., B.A., B.L.,
19. C. Narasimhaiah, Esquire., B.A., B.L.,

Absent.

1. The Amildar, Mysore Taluk.,
2. Rajakaryaprapthaka B. Ramakrishna Rao, Esquire.,
3. Rao Bahadur M.C. Rangaiyangar, Esquire., B.A.,
4. M.S. Krishnaswami Rao, Esquire.,
5. Rev. E. Gulliford.,
6. M. Ananthanarajiah, Esquire.,
7. Charles Theobald, Esquire.,
8. Mahomed Sait, Esquire.,
9. Ganavisarada Sangithavidwan Vidwada Krishnappa, Esquire.,
10. Abdul Azim Pasha, Esquire.,
11. C. Manjappa, Esquire., B.A.,

X X X X

XXIII. Re olution No. 2 dated 25th November 1917 of the Bye-laws and Regulation Committee stating that they do not consider that any alterations in the existing elector rules are necessary at present

CONFIRMED.

Sd/- T Lukshmana Rao,
President

"COPY"

T Luk Narana Rao
President

MRV

G R S Vl—G/32]

SUBJECT

Diary No of letter replied to

Section
File No
Serial No

GENERAL AND REVENUE SECRETARIAT
(,)
, the *191*

Date of issue 3 4 18

Signed by Mr. B. T. Kumaraga

No 5580 / mc dy 3.4.18

To Dear Mr Subba Rao

Please refer to the Mcc letter no 3618 dy the 30th June 1917 L.S.G enquiring whether the Mly-Mcl Cl consider any amendments are necessary to the Mcl Electrical Rules of 1909. Will you kindly let me know what delays a reply being sent to the communication and when it may be expected in the Secty.

Yours sincerely
S.K.
3/4

over

3 4 18

To. R Subba Rao Esq MB C.M. Ld Cl
Vice President of the Mly Mcl Cl

List of enclosures

Copied by

Examined by

4.2

MEMORANDUM No 446

From Pearson 14/11/18 | To D Lloyd George. | 191

Dear Mr Keane Wynn.

Home Office

I am writing a note I am sorry for the delay in the Election rules. A memo has been prepared and the matter could easily have been settled by the Commons some 6 months ago but it has referred to a sub Committee which would not meet I have however for the opinion of the members

[Please reply overleaf

43

B M 109]

Ps 2601

OFFICE OF THE PRESIDENT,
MUNICIPAL COUNCIL,
BANGALORE CITY, DATED 11-4- 191 8

FROM

DEWAN BAHADUR RAJA SABHA BHUSHANA
K P PUTTANNA CHETTY, Esq, C I E,
Honorary President, Municipal Council,
Bangalore City

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
~~Revenue~~ *Revenue Department,*
Bangalore

SIR,

With reference to your letter No 361-8/L S G dated the 30th June 1917 calling for the views of the Municipal Council in regard to the necessity or otherwise of amending the Municipal Election Rules of 1909 in the light of their past working, I have the honor to state that a note prepared by the Vice President on the subject (copy enclosed) was placed before the Managing Committee at their meeting dated the 24th November 1917 A copy of the Managing Committee's resolution is herewith submitted The Committee agreed that the language of the election rules required to be made clear in the light of the defects pointed out by the Vice President They were however not for enhancing the minimum tax entitling a person to be elected or to vote The Managing Committee further urged that the language of section 12 sub-sections (a), (b) and (c) of the Municipal Regulation required greater precision in a similar manner

2 The resolution of the Managing Committee was placed before the Municipal Council on the 15th December 1917 and by the Council

referred

G1 B—2 (m)—29-8-15

From The Honorary President
Municipal Council
Bangalore city

1917—18
1431

To The Secretary to the
Government of Mysore
Revenue Department
Bangalore.

Dated 11th } April 1918
Despatched 12th } April 1918
Received 15 APR 1918
General No 293
No

Enclosure No Three

Submitting the views of the Municipal Council regarding the necessity or otherwise of amending the Municipal Election Rules of 1909 in the light of the past working etc

referred to a sub-Committee consisting of Messrs D Venkataramayya, B A , C.V Narasimhiengar, B A , B L and Basavayya, B A , B L The Sub-Committee could not however meet and in the end the opinion of the individual members except Mr M Basavayya was secured by circulation of papers Messrs D Venkataramayya and C V Narasimha Iyengar were practically in agreement with the Vice President's views In addition, Mr Venkataramayya was of opinion that sex should be no disability in exercising the privilege of voting

3 The question again came up before the Municipal Council at their meeting of the 6th April 1918 and a copy of their resolution is herewith submitted for the information of Government

4 The recommendations of the Municipal Council briefly are as follows -

(a) That so far as Rule 2 (ii) relates to the Bangalore City Municipality the word 'Government' may be substituted for 'Deputy Commissioner'

(b) That in Rule 3 (i) the number of Councillors for a Division instead of being proportionate to the population only, may be based upon the population, the number of voters and the total revenue under assessed taxes of the Division

(c) That Rule 4 vii (a) may be so amended as to make it clear on the following points

(i) what is the period of not less than six months prior to the date of publication of the voters' list,

(ii) whether a person whose name is on the demand register for the minimum tax but who has not paid the same is eligible to be included in the list of voters

(iii) what is the period with reference to which the minimum tax is payable

(iv) whether a person paying the minimum Municipal tax in some other Municipality or paying land revenue anywhere in the State is entitled to vote in a Municipality to which said taxes are not paid, and

(v) whether the minimum tax could be something other than

1/4/18 notice

Octroi or toll, e g animal and vehicle tax

(d) That Rule 6 (i) (e) be so amended that points similar to those in (c) (supra) be made clear

5 I regret to report that Mr D Venkataramayya's suggestion regarding the removal of the existing bar against women exercising the privilege of voting was lost by a majority of 13 Councillors voting against 6, who were in favour of the proposition In Mysore, as elsewhere, the privilege has got to be thrown open sooner or later to women and the removal of the bar earlier in our State than in other parts of India would have been in accord with the enlightened and progressive policy of His Highness the Maharaja's Administration

I have the honor to be,

Sir,

Your most obedient servant,

Honorary President

C.R G

M E M O

Ref. Municipal Election rules of 1909 and subsequent notifications.

Rule 2 (ii) So far as the rule relates to the Bangalore City Municipality "Government" may be substituted for "Deputy Commissioner"

Rule 3 (i) According to this Rule, the number of Councillors for a Division, is strictly proportionate to the population On this behalf, a deduction based not only upon the population but also upon the number of voters and upon the total Revenue under assessed taxes, seems to have much to commend itself This principle was accepted by the Select Committee that discussed the Local Self Government Scheme

Rule 4 vii (a) It is not clear, (1) what is the period of not less than 6 months prior to the date of publication of voters' list e g a person has paid the minimum tax for a period of 2 years during 1890-91 and 1891-92 Is he eligible to be included in the list for 1917-18 ?

(2) Whether a person whose name is on the Demand Registe for the minimum tax but who has not paid the same is eligible or not to be included in the list of voters

(3) Whether the minimum tax prescribed is in respect of 6 months or one year or 15 years

(4) Whether the minimum tax specified could be anything other than Octroi or toll e g Animal tax

All these points should be made perfectly clear in the rule itself It would perhaps be an advantage if the minimum annual tax, the payment of which would entitle a person to be eligible to vote were fixed at Rs 7½-0

Rule 6 (i) (e) questions similar to those in the previous para should be made clear in this rule The minimum annual tax for

female sex

for standing for election may be raised to Rs 11/-

The rest of the election rules of 25th January 1909 togethe with the modifications of 24th March 1909, 15th December 1916 and 23rd February 1916 may be adopted without change

Sd/- R Subba Rao

Vice President

16th November 1917

* C O P Y *

For Hon President

C R G

Proceedings of the Managing Committee meeting held on 24th November 1917

P r e s e n t

The Vice President	C V Narasimhiengar, Esq ,B A , B L
The Health Officer	B Usman Khan, Esq.
B K Garuda Char, Esq	B V Ramaswami Chetty,Esq ,B A
B Chinnaswami Chetty,Esq	G Siddaveerappa, Esquire

A b s e n t

H Ramaiya, Esquire

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2 Vice President's memo on the Municipal election rules of 1909 as called for by Government

esolution - The Managing Committee are of opinion that the rules should be made clear in the light of the deficiencies pointed out by the Vice President in the existing election rules They are however not for enhancing the minimum Municipal tax entitling a person to be elected or to vote The wording of Section 12 (a), (b) and (c) of the Municipal Regulation requires further definition in the same manner.

Sd/- R Subba Rao,
Vice President

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* C O P Y *

For Hon President

RG

Madras City Municipal.

No. XX.

Proceedings of an Ordinary General meeting of the City Municipal Council, Bangalore, held in the Council Chamber, City Municipal Office on Saturday the 6th April 1918.

P r e s e n t .

Diwan Bahadur Raja Sabhabhushanam

Rao. Puttanna Chetty, Esquire, C.I.E., Honorary President.

R. Subba Rao, Esq., B.A., C.I.E., I.C.S., Vice President.

B. Narasimhamurthi Rao, Esq., B.A., L.C.E. & S., Health Officer.

C.V. Narasimhiengar, Esq., B.A., B.L.
Rao. Saheb Narasimha Mudaliar, Esquire.
R. Chinnaswami Chetty, Esquire.
R. Ramachandra Rao Sahib, Esquire.
L.C. Ramaswami Chetty, Esq., B.A.
R. Venkatarama Iyer, Esq., B.A.
Rao. Narasimhamurthi Rao, Esquire.
Rao. Narasimha Iyer, Esq., B.A.
R. Venkatarangiengar, Esquire.
Father F.X. Dejean.
R.B. Garuda Char, Esq.
R. Adappa, Esquire.
R. Siddaveerappa, Esq.
R. Murappa, Esquire.
R. Oman Firm, Esquire.
R. Ramaiya, Esquire.
R. Abbas Khan, Esquire.
R. Subbayya, Esq., B.A.

A b s e n t .

Revd. R. A. Rees.
R.V. Gundappa, Esquire.
R. Basavayya, Esq., B.A., B.L.
R. Venkatramayya, Esquire, L.C.E.

Report of the members of the Sub-Committee regarding the election rules of 1909

Resolution - (a) The Council agree that the language of the election rules should be corrected in the light of the defects pointed out by the Vice President in his memo dated the 16th November 1917 and by Mr C V Narasimhiengar in his note dated the 13th March 1918

(b) The Council consider that the time has not yet come for conferring the privilege of voting on persons of the female sex

Voting -
For conferring such privilege 6
Against - 13

(c) The Council do not consider it necessary to prevent persons from standing for election in one Division while residing in another

Voting -
For placing such prohibition 8
For not placing any prohibition. 10

Sd/- K P Puttanna Chetty,
Honorary President.

* C O P Y -

For Hon President

C.R G.

NOTIFICATION

In exercise of the powers conferred by Section 11 (c) of the Mysore Municipal Regulation No VII of 1906, and in supersession of the existing rules on the subject, the Government of His Highness the Maharaja of Mysore are pleased to make the following Rules prescribing the qualifications of voters and candidates at elections of Municipal Councillors in a City Municipality and regulating the conduct of such elections.

PRELIMINARY

1. These Rules may be cited as "the City Municipal Election Rules, 1917"

2 In these rules "the Regulation" means the Mysore Municipal Regulation, No VII of 1906, as amended by subsequent Regulations.

DIVISIONS

Dividing of Municipalities into Divisions and apportioning elective Councillors thereover

3 (i) The Municipal Council may divide the Municipality for electoral purposes into as many divisions as may be necessary the boundaries of which shall be clearly defined, and, when such a division has been made, shall apportion the number of elective Councillors over the said divisions with reference to the population, the number of voters and the total revenue under assessed taxes in every Division

(ii) The divisions into which the

Municipalitie

Municipalities of Bangalore and Mysore are at present divided for electoral purposes and the number of elective Councillors at present apportioned over the several - - divisions shall be deemed to have been fixed and apportioned under clause (i)

(iii) The Municipal Council, may, from time to time, after the number and - - - boundaries of the divisions and re-appor - tion the number of elective Councillors among the divisions provided that except with the sanction of the Government no such alteration or re-apportionment shall take effect within six months from the date on which it is made and that every such re-apportionment be made in the manner aforesaid

4 (1) If in any division of a Municipality divided for electoral purposes into divisions under the foregoing rule not less than 50 per cent. of the total number of persons eligible to vote belong to ~~any particular community, caste, religion~~ any one section of the inhabitants or profession then such voters may -- apply to Government, provided that the application is made by not less than three-fourths of their total number, for permission to elect one or more members of such ~~community, caste, religion or profession~~ section, and the Government may thereupon pass such orders as they deem fit.

(2) If, in any Municipality, there is any recognised public body or association, such body or association may apply to Government by a resolution -- passed by not less than three-fourths of the total number of members of such body or association for separate representation on the Municipal Council by election from among themselves: provided that the strength of such body or association has not been less than 100 for a period of six months next prior to the date of such resolution, and that not less than three-fourths of the members are entitled to have their names entered in the list of voters and the Government may thereupon pass such orders as they deem fit.

Qualification of Voters and Candidates

Qualification of Voters.

5 (1) Unless disqualified under Section 21 of the Regulation by being less than 21 years of age, all persons who are subjects of Mysore or of any other State in India and all British Subjects qualified as voters under Section 12 (a) and (b) of the Regulation and the following persons shall be entitled to have their names entered in the list of voters, viz -

(i) First and Second grade pleaders holding Sannads from the Chief Court of Mysore,

(ii) Persons upon whom titles have been conferred by the Government of India, or, by His Highness the Maharaja of Mysore,

(iii) Servants of Government, or of any

any public body, or of any corporation, or of any company registered under Regulation, ~~VIII of 1913~~ VIII of 1917, whose salary is no less than Rs. 50/ per mensem, ~~in the case of Bangalore and Mysore Cities, and Rs. 15/- in the case of other towns~~,

who have been residents of the Municipality for not less than six consecutive months prior to the date of the publication of the list of - - voters

(iv) Persons in receipt of pension of not less than Rs. 15 per mensem from Government, or, from any public body, or corporation or company registered as - - aforesaid, and

(v) Registered Land-holders whose holdings are assessed (or in the case of alienated lands, would be assessed if they were not alienated) to the land - - revenue at an amount not less than Rs. 5

(vi) (a) Persons who have paid for a period of not less than six months next prior to the date of the publication of the list of voters, Municipal taxes, other than octroi or toll, of an amount not less than Rs 2-8-0

(b) Persons who have been during the period aforesaid the occupiers as owners, mortgagees or tenants of buildings on account of which there has been paid for such period a tax of not less than the amount fixed under the above para

Provided that -

(a) when any qualification prescribed by this rule is possessed by an undivided family, or any association or body of individuals, other than a company or firm

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firm, or any trustees, being two or more in number of any building or land, any one individual person duly authorised in this behalf by the members of such family association or body, or by such trustees and when such qualification is possessed by any company or firm the Resident - - member, manager or agent thereof shall, unless he is disqualified under Section 21 of the Regulation on account of being less than 21 years of ge, be entitled to have his name entered in the list of voters on behalf of such family or association or body or trustees or company or firm,

(b) if any person whose name is entered in the said list under proviso (a) possess on his own separate account any quali - fication prescribed as aforesaid, he - - shall be entitled to have his name entered in the said list separately on his own account,

(c) except in the case mentioned in proviso (b) no person shall be - - entitled to more than one vote although he be qualified under two or more of the tests of qualification prescribed by this rule or by Section 12 of the Regulation

Voters entitled to vote in one Division only

(1) 35 Each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from the payment of Municipal taxes, in the division in which his liability to

pay

- - person ap -

pay the same occurs

Provided that -

(a) no person shall be entitled to vote in more than one division,

(b) any person possessing the quali - fications of a voter in connection with more than one division shall be at - - liberty to choose for which of such divi- sions he shall be entitled to vote, and failing his doing so within a week after public notice has been given calling up - on all such persons to make their choice shall be entitled to vote in such divi - sion as the Municipal Council shall de - termine.

What person may be candi - dates at a Municipal - - - election

7-6 (i) Voters of the classes described be low shall unless illiterate or disquali fied under Section 15 of the Regulation, be qualified to be candidates for Muni cipal Councillorship at such election -

(a) persons mentioned in Section 12 (a) and (b) ofthe Regulation,

(b) persons mentioned in paras (i) and (ii) of Rule 5 supra,

other than Govt servants

(c) persons described in para (iii) of the above said rule if their pay is not less than Rs 100

(d) Pensioners of the kind described in para (v) of Rule 5 supra, provided that their pension is not less than Rs 50 a month

(e) Registered person ap -

If a person fraudulently obtains accounts may be candidate

No

(e) Registered land-holders whose hold - ings are assessed (or in the case of alienated lands would be assessed if they were not alienated) to the land revenue at an amount not less than Rs.10.

(f) (1) persons paying Municipal taxes of amounts not less than Rs. 5

(2) Persons who have been the ~~xxxxx~~ occupiers as owners, mortgagees or - - tenants of buildings on account of which there has been paid a tax of not less than the amount fixed under the above sub para.

and

(ii) Any person whose name is entered in the list of voters as entitled to vote in one division may be a candidate for election either in the division for which his name is so entered or in any other division

List of Voters and Candidates.

By whom and in what manner and at what periods list of voters and candidates is to be prepared

8 7 (i) The Government shall, from time to time, appoint an officer of the Muni cipal Council to prepare a list of voters This list shall also indicate what - - - persons shown therein are eligible to be candidates at elections.

(ii) Such list shall show the persons entitled to vote in each division - - - separately

(iii) Similar new lists shall be pre - pared every year by an officer of the Municipality as aforesaid

9 Every list prepared under Rule 8

-- person ap -

shall be published in the Official Gazette in English and Kannada and copies thereof affixed at the Municipal Office, and at such other conspicuous place or places within the Municipality, as the Municipal Council shall appoint at least two months before the 1st day of June or other date the Government may determine by notice to be given in that behalf and to be affixed at the Municipal Office

Revision of lists

(2) (i) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein any person whose name is entered in the said list and who is eligible to be a candidate at election but who is not shown as such therein, and any person whose name is entered in the said list who shall think that the name of some other person has been wrongly entered therein as a voter or as a voter and candidate, may apply in writing within a fortnight from the date of - - publication of the list, to the officer or other person appointed under Rule 3 to prepared the list, for the amendment - - thereof.

(ii) The officer or other person ap - pointed as aforesaid shall forthwith forward every such application, with his report thereupon, for the decision of the Municipal Council

(iii) The officer or other person ap

(60)

appointed to prepare the list may also bring to the notice of the Municipal Council within a fortnight from the date of publication of the list, any additions to, or corrections in, the list which he shall discover to be necessary, otherwise than on the application of any person interested therein

(iv) Notice of every application under sub section (i) and of every reference under Sub section (iii) should be given by the Municipal Council, to any person affected thereby and the Municipal Council at its next meeting, shall consider and pass order on such application or reference. A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order, whether upon an application or a reference shall without delay be communicated to each person, if any, whose name is thereby ordered to be removed from the list of voters, or, who is declared ineligible to be a candidate at election

(v) An appeal shall lie to Government from the decision of a Municipal Council on any such application, or, reference, but the Government may decline to entertain any appeal which is not presented within ten days from the date when the decision of the Municipal Council is communicated to the appellant

(vi)

(vi) Every order passed by the Government under this rule shall be final

Publications of additions etc., made on revision of list.

(i) All additions to, and corrections in, the list of voters and candidates, made under the authority of the Municipal Council or of the Government on appeal or otherwise, shall be published in the manner prescribed in Rule 9 at least fourteen days before the date specified in that Rule.

Custody of list

(ii) Every list of voters prepared with all additions thereto and corrections therein made under these rules shall be entered in a book, each page of which shall be sealed with the common seal of the Municipal Council, and the said book shall be kept in the Municipal chest or safe under and lock and key, and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Time and Place for Elections.

Deputy Commissioner to fix and publish times and - - places for elections

The dates on which, the hours - - during which, and the places at which Municipal elections shall be held shall be fixed by the President subject to approval of Government by written notice published in English and Kannada not les than fifteen days before the earliest date prescribed in such notice, and - - copies of the notice shall be affixed at

the

the Municipal Office, and at such other conspicuous place or places within the Municipality as the Municipal Council may appoint for this purpose

Votes at Elections.

What persons may vote a a Municipal election

12 (i) Only those persons shall be entitled to vote at a Municipal election, whose names are entered in the revised list of voters and candidates of the Municipality in which such election is held, last published before the date of election, and

~~(ii) If the Municipality has been sub-divided for electoral purposes into divisions,~~ the said persons shall be entitled to vote only in the division for which their names are, respectively, entered in the said list.

Nomination of Candidates.

Nomination how and by whom to be made

13 (i) Every person who desires or is willing to become a candidate for a Municipal Councillorship and who is shown in the list of voters and candidates as - - - eligible to be a candidate at the election must be nominated in writing for this purpose by two persons entitled to vote at the election for such Municipal Councillorship and the nomination paper must bear an endorsement signed by the nominee signifying his willingness to serve, if he - - should be elected, and be delivered to the officer appointed by the Government for this purpose at least ten days before the date fixed for election

(ii) The said officer shall, if any nomination paper is prepared and delivered to him in accordance with Sub section (i) and if the nominators establish to his satisfaction that they are entitled to vote at the election and that the nominee is qualified as a candidate, include the nominee's name in a list of candidates which shall be prepared under his signature and posted up at the Municipal Office and at the place at which the election is to be held and in other conspicuous places, at least five days before the date fixed for election

(iii) When elections are to be held at or about the same time in two or more divisions, one and the same person may be nominated for election in all or in any number of the said divisions

Conduct of Elections

Appointment of Polling Officer

15 A Polling Officer shall be appointed by the President of the Municipal Council to preside at each place at which an election is to be held and to receive votes thereat If possible the Polling Officer shall be a person who is acquainted with, and therefore able to identify the voters or the greater number of them

how many and for what persons votes may be given.

16 Every voter may vote for as many candidates as there are Councillors to be elected for the division A vote for any person whose name is not included in the list of candidates published under Rule 14 shall not be received

ters to vote in person.

17 ~~15~~ Voters ~~may~~ Must vote in person.

ing to be by ballot

18 ~~17~~. The votes shall be given by - - ballot

ription of ballot.

19 ~~16~~. The ballot of each voter shall consist of an envelope supplied at the Polling Office, on the face of which the number of vacancies to be filled and the names of candidates for election whose nominations have been included in the list of candidates under Rule ~~15~~ 14 shall be printed or legibly written, but the name of any candidate who may have ~~xx~~ subsequently withdrawn his candidature should be scored out by the President of the Municipal Council or the Polling Officer under the orders of the President. The voter shall write his name and number inside the envelope and hand it over to the Polling Officer, who shall, after seeing that the name and number of the voter are legibly entered, close the envelope, seal it or sign across the flap and give it to the voter In the case of illiterate voters, the Polling officer shall enter their name and number inside the envelope

dure in voting

20. 19 (i) The voter shall then go into a private cubicle, which shall be provided within the polling booth, score out the name or names of the candidates for whom he does not vote retaining the name or names of the candidates not exceeding the number of persons to be elected, for whom he votes and himself drop, without the

Polling

75 "The Polling Officer shall carry out any special rules that may be made by the President of the Municipal Council, ~~or, in the case of a new Municipality, by the Deputy Commissioner~~, as he is hereby empowered to make such rules, for recording the votes of illiterate persons and also of such as are unable to write"

Provision of ballot boxes

(ii) The ballot box shall be so con - structed that the ballot paper can be - - introduced but not extracted without the box being unlocked and it shall be secure- ly sealed by the President of the Municipal Council with the Municipal seal The President shall certify in writing that the box is empty and hand it over person - ally to the Polling Officer at the Polling Office on the day of election

(iii) One or more boxes so sealed shall be provided by the Municipal Council for each place at which votes are to be - - - received

What votes shall be allowed by the Polling Officer

20 No vote shall be received by the Polling Officer from any person who under Rule 13, is not entitled to vote

Polling officer to satisfy himself of identity of persons tendering votes etc

21 The Polling officer shall satisfy himself as to the identity of the persons tendering votes, and may refuse the vote of any person who declines to answer any reasonable question put to him for this purpose or whose identity is not establish- ed to his satisfaction He is also res - ponsible for seeing that the votes shall be recorded with absolute secrecy, that no person who is not entitled to vote shall be admitted to the polling booth and that persons who have recorded their votes - - shall leave the booth immediately

not that he does know to be

Voting boxes how to be disposed of by Polling Officer

22. After the close of the poll, the Polling Officer shall forthwith forward the box or boxes aforesaid with it's seal or their several seals intact to the President of the Municipal Council, or to such Municipal Councillor, or, officer as the President appoints in this behalf.

Determination of results of Elections

Scrutiny of votes and declaration of results of elections

23. (i) The boxes aforesaid shall be opened in the presence of the Municipal Councillors at a special general meeting convened for this purpose

(ii) The votes shall then be scrutinised and those that are valid counted by such persons as the Councillors present appoint in this behalf ~~in this behalf~~ Any ballot paper on which the names of more candidates are retained than there are persons to be elected, shall be invalid

(iii) The results of the election on being ascertained at a special general meeting of the Municipal Councillors shall be declared by the presiding officer of such meeting and shall be recorded in the minutes of the proceedings of the meeting Provided that no candidate shall be considered as elected unless he secures the votes of at least one eighth of the total number of persons entitled to vote.

Proceedings when two or more candidates have an equal number of votes, etc

24 (i) If there is an equal number of votes in favour of each of two or more candidates for one Councillorship, the

selection

selection of one of such persons shall be made by lot by the presiding officer of the aforesaid meeting, in such manner as the meeting shall determine

(ii) In the event of any person being elected for two or more divisions, such person shall be at liberty to choose the division which he will represent and failing his doing so within forty eight hours after the declaration of the resul of the election, he shall represent such of the said divisions as the Government shall determine In every other division for which the said person has been re - turned other than the one which he - - elects to represent or which it is de - termined as aforesaid that he shall re - present, the result of the election shall be determined as if no votes had been re - corded for him

Custody and Destruction of Voting Papers

Safe custody of voting papers and Polling Officer's memo-randa

25 When the voting papers have been scrutinized, they shall be replaced from in the box from which they were taken, and the box, after being locked and sealed with the Municipal seal shall be kept by the Presi dent of the Municipal Council in safe - - custody for a period of fifteen days from the date of the declaration of the result of election

tual destruction of ing papers and Polling ficer's memoranda

26 (i) On the expiry of fifteen days from the said date, or, if an application re - garding the election is made to the Dis -

District Judge under Section 22 of the Regulation, and such application is not finally disposed of before the expiry of fifteen days from the said date, then whenever such application has been finally disposed of, the voting papers shall be destroyed in the presence of such Municipal Councillor or officer as the Municipal Council appoints for this purpose

(ii) On receipt from any person of a written intimation that he has made an application regarding the election as aforesaid, the Municipal Councillor shall cause the voting papers to be kept, pending the final disposal of the said application.

Gazetting the Results of Election.

Publication of results of elections in the Mysore Gazette.

27. The result of every election declared at a special general meeting under Rule 24 shall be certified by the presiding officer of such meeting to the Government for being notified in the Mysore Gazette.

Bye-elections

28. On a vacancy occurring in a Municipality between two general elections, it shall be reported by the President of the Municipal Council to the Government and the above rules shall apply to such bye-elections except Rules 10 and 18 The last revised list of voters and candidates shall be published and persons entered in that list, unless disqualified in the meantime, shall alone be considered entitled to vote or to be elected. Provided that no bye-election shall, except with the sanction

sanction of the Government be held later than one month after the vacancy is reported

Secretary to Government,
Revenue Department

To. The Compiler Mysore Gazette for publication in Pt-III of the Mysore Gazette with the request that 150 spare copies may be sent to the Secretariat

NR.3.

Kannada Copies to be called for on 23.1.19

70-56

City Municipal Election Rules 1919

Price—0-1-6.

NOTIFICATION

No 10929—Ml 129-18-2, dated 24th February 1919

ADDENDA ET CORRIGENDA

The following changes shall be made in the City Municipal Election Rules, published under Notification No 8297—Ml 129 18 1, dated the 7th January pages 13 to 20 in Part III of the *Mysore Gazette* dated the 16th January

1 The following marginal notes shall be inserted to rule 4
   (i) Against paragraph (1) "Election by Sections of inhabitants"
   (ii) Against paragraph (3) "Election by recognized public body or association"

2 The figure "5" shall be substituted for "4" before the word "*supra*" in sub-clauses (i) (*b*) and (*d*) of rule 7

3 The following marginal note shall be inserted to rule 9
"Publication of the list of voters and candidates."

4 The words 'Publication of" shall be substituted for the word "Publications," in the marginal note to rule 11

5 The word "only" shall be added after the word "vote" at the end of line 5 in rule 13

6 The following marginal note shall be inserted to clause (ii) of rule 20,
"Provision of ballot boxes"

7 The figure "13" shall be substituted for "12" after the word "Rule" in rule 21

By Order,
B RAMASWAMAIYA,
Secy to Govt, Rev Dept

City Municipal Election Rules 1919

No 8297 Ml 129 18-1, dated 7th January 1919

In exercise of the powers conferred by Section 11 (c) of the Mysore Municipal Regulation, No VII of 1906, and in supersession of the existing rules on the subject, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules prescribing the qualifications of voters and candidates at elections of Municipal Councillors in a City Municipality and regulating the conduct of such elections

Preliminary

1 These rules may be cited as "the City Municipal Election Rules, 1919"

2 In these rules "the Regulation" means the Mysore Municipal Regulation, No VII of 1906, as amended by Regulations Nos IX of 1911, VIII of 1914, VIII of 1915, III of 1916 and V of 1918

Divisions

Dividing of Municipalities into Divisions and apportioning elective Councillors thereover

3 (i) The Municipal Council may divide the Municipality for electoral purposes into as many divisions as may be necessary the boundaries of which shall be clearly defined, and, when such a division has been made, shall apportion the number of elective Councillors over the said divisions with reference to the population, the number of voters and the total revenue under assessed taxes in every Division

(ii) The Divisions into which the Municipalities of Bangalore and Mysore are at present divided for electoral purposes and the number of elective Councillors at present apportioned over the several divisions shall be deemed to have been fixed and apportioned under clause (i)

(iii) The Municipal Council, may, from time to time, alter the number and boundaries of the Divisions and re-apportion the number of elective Councillors among the Divisions provided that except with the sanction of the Government no such alteration or re-apportionment shall take effect within six months from the date on which

t is made and that every such re-apportionment be made n the manner aforesaid

4 (1) If in any division of a Municipality divided for electoral purposes into divisions under the foregoing rule not less than 50 per cent, and in a Municipality not so divided not less than 25 per cent, of the total number of persons eligible to vote belong to any one section of the inhabitants, then such voters may apply to Government, provided that the application is made by not less than three-fourths of their total number, for permission to elect one or more members of such section and the Government may thereupon pass such orders as they deem fit

(2) If, in any Municipality, there is any recognised public body or association, such body or association may apply to Government by a resolution passed by not less than three-fourths of the total number of members of such body or association for separate representation on the Municipal Council by election from among themselves provided that the strength of such body or association has not been less than 100 for a period of six months next prior to the date of such resolution, and that not less than three-fourths of the members are entitled to have their names entered in the list of voters and the Government may thereupon pass such orders as they deem fit

Qualification of Voters and Candidates

Qualification of voters

5 Unless disqualified under Section 21 of the Regulation by being less than 21 years of age, all persons who are of sound mind, and who are not deaf-mutes, and who are subjects of Mysore or of any other State in India and all British Subjects qualified as voters under Section 12 (*a*) and (*b*) of the Regulation and the following persons of the male sex shall be entitled to have their names entered in the list of voters, *viz* —

(i) First and Second grade pleaders holding Sannads from the Chief Court of Mysore
(ii) Persons upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore
(iii) Servants of Government, or of any public body, or of any corporation or of any company registered under

} Who have been residents of the Municipality for not less than six consecutive months prior to the date of the publication of the list of voters

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Regulation, VIII of 1917, whose salary is not less than Rs 50 per mensem

(iv) Persons in receipt of pension of not less than Rs 15 per mensem from Government, or, from any public body, or corporation or company registered as aforesaid, and

(v) Registered landholders whose holdings are assessed (or in the case of alienated lands, would be assessed if they were not alienated) to the land revenue at an amount not less than Rs 5

Who have been residents of the Municipality for not less than six consecutive months prior to the date of the publication of the list of voters.

(vi) (*a*) Persons who have paid for a period of not less than six months next prior to the date of the publication of the list of voters Municipal taxes, other than octroi or toll, of an amount not less than Rs 2 8 0

(*b*) Persons who have been during the period aforesaid the occupiers as owners, mortgagees or tenants of buildings on account of which there has been paid for such period a tax of not less than the amount fixed under the above para.

Provided that—

(*a*) when any qualification prescribed by this rule is possessed by an undivided family, or any association or body of individuals, other than a company or firm or any trustees, being two or more in number of any building or land, any one individual person duly authorised in this behalf by the members of such family, association or body or by such trustees and when such qualification is possessed by any company or firm the resident member, manager or agent thereof shall, unless he is disqualified under Section 21 of the Regulation on account of being less than 21 years of age, be entitled to have his name entered in the list of voters on behalf of such family or association or body or trustees or company or firm,

(*b*) if any person whose name is entered in the said list under proviso (*a*) possess on his own separate account any qualification prescribed as aforesaid, he shall be entitled to have his name entered in the said list separately on his own account,

(*c*) except in the case mentioned in proviso (*b*) no person shall be entitled to more than one vote although he be qualified under two or more of the tests of qualification prescribed by this rule or by Section 12 of the Regulation

Voters entitled to vote in one Division only

6 Each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from the payment of Municipal taxes, in the division in which his liability to pay the same occurs

Provided that—

(*a*) no person shall be entitled to vote in more than one Division,

(*b*) any person possessing the qualifications of a voter in connection with more than one Division shall be at liberty to choose for which of such Divisions he shall be entitled to vote, and failing his doing so within a week after public notice has been given calling up on all such persons to make their choice shall be entitled to vote in such division as the Municipal Council shall determine

What persons may be candidates at a Municipal election

7 (i) Voters of the classes described below shall unless illiterate or disqualified under Section 15 of the Regulation, be qualified to be candidates for Municipal Councillorship at such election —

(*a*) persons mentioned in Section 12 (*a*) and (*b*) of the Regulation,

(*b*) persons mentioned in paras (i) and (ii) of Rule 4 *supra*,

(*c*) persons other than Government servants described in para (iii) of the above said rule if their pay is not less than Rs 100

(*d*) Pensioners of the kind described in para (v) of 4 *supra*, provided that their pension is not less than Rs 50 a month

(*e*) Registered landholders whose holdings are assessed for in the case of alienated lands

would be assessed if they were not alienated) to the land revenue at an amount not less than Rs 10

(*f*) (1) Persons paying Municipal taxes of amounts not less than Rs 5

(2) Persons who have been the occupiers as owners, mortgagees or tenants of buildings on account of which there has been paid a tax of not less than the amount fixed under the above sub-para

(ii) Any person whose name is entered in the list of voters as entitled to vote in one Division may be a candidate for election either in the Division for which his name is so entered or in any other Division

List of Voters and Candidates

By whom and in what manner and at what periods list of voters and candidates is to be prepared

8 (i) The Government shall, from time to time, appoint an officer of the Municipal Council to prepare a list of voters This list shall also indicate what persons shown therein are eligible to be candidates at elections

(ii) Such list shall show the persons entitled to vote in each Division separately

(iii) Similar new lists shall be prepared every year by an officer of the Municipality as aforesaid

9 Every list prepared under Rule 8 shall be published in the official *Gazette* both in English and Kannada and copies thereof affixed at the Municipal Office, and at such other conspicuous place or places within the Municipality, as the Municipal Council shall appoint at least two months before the 1st day of June or other date the Government may determine by notice to be given in that behalf and to be affixed at the Municipal Office

Revision of lists

10 (i) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein, any person whose name is entered in the said list and who is eligible to be a candidate at election but who is not shown as such therein, and any person whose name is entered in the said list who shall think that the name of some other person has been wrongly entered therein as a voter or as a voter and candidate, may apply in writing within a fortnight from the date of publication of the list, to the officer or other person appointed under Rule 8 to prepare the list, for the amendment thereof

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(ii) The officer or other person appointed as aforesaid shall forthwith forward every such application, with his report thereupon for the decision of the Municipal Council

(iii) The officer or other person appointed to prepare the list may also bring to the notice of the Municipal Council within a fortnight from the date of publication of the list, any additions to, or corrections in the list which he shall discover to be necessary, otherwise than on the application of any person interested therein

(iv) Notice of every application under sub section (i) and of every reference under sub-section (iii) should be given by the Municipal Council, to any person affected thereby and the Municipal Council at its next meeting, shall consider and pass order on such application or reference A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order, whether upon an application or a reference shall without delay be communicated to each person, if any, whose name is thereby ordered to be removed from the list of voters, or, who is declared ineligible to be a candidate at election

(v) An appeal shall lie to Government from the decision of a Municipal Council on any such application, or reference, but the Government may decline to entertain any appeal which is not presented within ten days from the date when the decision of the Municipal Council is communicated to the appellant

(vi) Every order passed by the Government under this rule shall be final

Publications additions etc made on revision of list

11 (i) All additions to, and corrections in the list of voters and candidates, made under the authority of the Municipal Council or of the Government on appeal or otherwise, shall be published in the manner prescribed in Rule 9 at least fourteen days before the date specified in that rule

Custody of list

(ii) Every list of voters prepared with all additions thereto and corrections therein made under these rules shall be entered in a book, each page of which shall be sealed with the common seal of the Municipal Council, and the said book shall be kept in the Municipal chest or safe under lock and key, and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book.

Time and Place for Elections

President to fix and publish times and places for elections

12 The dates on which, the hours during which, and the places at which, Municipal elections shall be held shall be fixed by the President subject to approval of Government by written notice published in English and Kannada not less than fifteen days before the earliest date prescribed in such notice, and copies of the notice shall be affixed at the Municipal Office, and at such other conspicuous place or places within the Municipality as the Municipal Council appoint for this purpose

Votes at Elections

What persons may vote at a Municipal election

13 Only those persons shall be entitled to vote at a Municipal election, whose names are entered in the revised list of voters and candidates of the Municipality in which such election is held, last published before the date of election, and the said persons shall be entitled to vote in the division for which their names are, respectively, entered in the said list

Nomination of Candidates

Nomination how and by whom to be made

14 (i) Every person who desires or is willing to become a candidate for a Municipal Councillorship and who is shown in the list of voters and candidates as eligible to be a candidate at the election must be nominated in writing for this purpose by two persons entitled to vote at the election for such Municipal Councillorship and the nomination paper must bear an endorsement signed by the nominee signifying his willingness to serve, if he should be elected, and be delivered to the officer appointed by the Government for this purpose at least ten days before the date fixed for election

(ii) The said officer shall, if any nomination paper is prepared and delivered to him in accordance with sub section (i) and if the nominators establish to his satisfaction that they are entitled to vote at the election and that the nominee is qualified as a candidate, include the nominee's name in a list of candidates which shall be prepared under his signature and posted up at the Municipal Office and at the place at which the election is to be held and in other conspicuous places, at least five days before the date fixed for election

(iii) When elections are to be held at or about the same time in two or more divisions, one and the same person may be nominated for election in all or in any number of the said divisions

Conduct of Elections

Appointment of Polling Officer

15 A Polling Officer shall be appointed by the President of the Municipal Council to preside at each place at which an election is to be held and to receive votes thereat If possible, the Polling Officer shall be a person who is acquainted with, and therefore able to identify the voters or the greater number of them

For how many and for what persons votes may be given

16 Every voter may vote for as many candidates as there are Councillors to be elected for the division A vote for any person whose name is not included in the list of candidates published under Rule 14 shall not be received

Voters to vote in person Voting to be by ballot Description of ballot

17 Voters must vote in person

18 The votes shall be given by ballot

19 The ballot of each voter shall consist of an envelope supplied at the Polling Office, on the face of which the number of vacancies to be filled and the names of candidates for election whose nominations have been included in the list of candidates under Rule 14 shall be printed or legibly written, but the name of any candidate who may have subsequently withdrawn his candidature should be scored out by the President of the Municipal Council or the Polling Officer under the orders of the President The voter shall write his name and number inside the envelope and hand it over to the Polling Officer, who shall after seeing that the name and number of the voter legibly entered, close the envelope, seal it or sign across the flap and give it to the voter In the case of illiterate voters, the Polling Officer shall enter their name and number inside the envelope

Procedure in voting

20 (i) The voter shall then go into a private cubicle, which shall be provided within the polling booth, score out the name or names of the candidates for whom he does not vote, retaining the name or names of the candidates not exceeding the number of persons to be elected, for whom he votes and himself drop without the Polling Officer seeing for whom he has voted, the envelope into the ballot box The Polling Officer shall carry out any special rules that may be made by the President of the Municipal Council, as he is hereby empowered to make such rules, for recording the votes of illiterate persons and also of such as are unable to write

(ii) The ballot box shall be so constructed that the ballot paper can be introduced but not extracted without

the box being unlocked and it shall be securely sealed by the President of the Municipal Council with the Municipal seal The President shall certify in writing that the box is empty and hand it over personally to the Polling Officer at the Polling Office on the day of election

(iii) One or more boxes so sealed shall be provided by the Municipal Council for each place at which votes are to be received

What votes shall be allowed by the Polling Officer

21 No vote shall be received by the Polling Officer from any person who, under Rule 12, is not entitled to vote

Polling Officer to satisfy himself of identity of persons tendering votes, etc.

22 The Polling Officer shall satisfy himself as to the identity of the persons tendering votes, and may refuse the vote of any person who declines to answer any reasonable question put to him for this purpose or whose identity is not established to his satisfaction He is also responsible for seeing that the votes shall be recorded with absolute secrecy, that no person who is not entitled to vote shall be admitted to the polling booth and that persons who have recorded their votes shall leave the booth immediately

Voting boxes how to be disposed of by Polling Officer

23 After the close of the poll, the Polling Officer shall forthwith forward the box or boxes aforesaid with its seal or their several seals intact, to the President of the Municipal Council, or to such Municipal Councillor, or, officer as the President appoints in this behalf

Determination of results of Elections

Scrutiny of votes and declaration of results of elections

24 (i) The boxes aforesaid shall be opened in the presence of the Municipal Councillors at a special general meeting convened for this purpose

(ii) The votes shall then be scrutinized and those that are valid counted by such persons as the Councillors present appoint in this behalf Any ballot paper on which the names of more candidates are retained than there are persons to be elected, shall be invalid

(iii) The results of the election on being ascertained in a special general meeting of the Municipal Councillors shall be declared by the presiding officer of such meeting and shall be recorded in the minutes of the proceedings of the meeting Provided that no candidate shall be considered as elected unless he secures the votes of at least one-eighth of the total number of persons entitled to vote

Proceedings when two or more candidates have an equal number of votes etc

25 (i) If there is an equal number of votes in favour of each of two or more candidates for one Councillorship, the selection of one of such persons shall be made by lot by the presiding officer of the aforesaid meeting, in such manner as the meeting shall determine

(ii) In the event of any person being elected for two or more divisions, such person shall be at liberty to choose the division which he will represent and failing his doing so within forty eight hours after the declaration of the result of the election, he shall represent such of the said divisions as the Government shall determine In every other division for which the said person has been returned other than the one which he elects to represent or which it is determined as aforesaid that he shall represent, the result of the election shall be determined as if no votes had been recorded for him

Custody and Destruction of Voting Papers

Safe custody of voting papers and Polling Officer's memoranda

26 When the voting papers have been scrutinized, they shall be replaced in the box from which they were taken, and the box, after being locked and sealed with the Municipal seal shall be kept by the President of the Municipal Council in safe custody for a period of fifteen days from the date of the declaration of the result of election

Eventual destruction of voting papers and Polling Officer's memoranda

27 (i) On the expiry of fifteen days from the said date, or, if an application regarding the election is made to the District Judge under Section 22 of the Regulation and such application is not finally disposed of before the expiry of fifteen days from the said date, then whenever such application has been finally disposed of, the voting papers shall be destroyed in the presence of such Municipal Councillor or officer as the Municipal Council appoints for this purpose

(ii) On receipt from any person of a written intimation that he has made an application regarding the election as aforesaid, the Municipal Councillor shall cause the voting papers to be kept, pending the final disposal of the said application

Gazetting the Results of Election

Publication of results of elections in the *Mysore Gazette*

28 The result of every election declared at a special general meeting under Rule 24 shall be certified by the presiding officer of such meeting to the Government for being notified in the *Mysore Gazette*

29 On a vacancy occurring in a Municipality between two general elections, it shall be reported by the President of the Municipal Council to the Government and the above rules shall apply to such bye-elections except Rules 10 and 11 The last revised list of voters and candidates shall be published and persons entered in that list, unless disqualified in the meantime, shall alone be considered entitled to vote or to be elected Provided that no bye election shall, except with the sanction of the Government, be held later than one month after the vacancy is reported Bye-elections.

By Order,

C S Balasundaram Iyer,

For *Secretary to Government*,
Revenue Department

GPE—150—12-2-19

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Mile Mul el Election Rules -

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Serial No 2

AND REVENUE SECRETARIAT,

(Bangalore

, the 191

No 10929 dt 24.2.19

Date of issue 24.2.19

To

Signed by M.V.R. Ramaswamaiya

Notification

Addenda et Corrigenda

The following changes shall be made in the Cele Municipal Election Rules, 1919 published under Notn No 8297 Mul 129.18.1 & the 7th January 1919 at pages 13 & 20 in Part III of the Mysore Gazette dated the 16th January 1919

If there should have been looked into carefully at the proper time, these addenda could be avoided

MR 22.2.19

MR

1. In the first line of the marginal note to rule 3 the word 'of' shall be substituted for 'o'.

2 The following marginal note shall be inserted to rule 4

(i) Against paragraph (1)
Election by Section of inhabitants"

(ii) Against paragraph (2)
Election by recognised public body or association."

3. The figure "5" shall be substituted for "4" before the word "Supra" in sub-clause (1) (b) and (d) of rule 7.

4. The following marginal note shall be inserted to rule 9
" Publication of the list of voters and candidates "
The words "Publication of" shall

List of enclosure

Copied by

Examined by

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GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form.)

Shall be substituted for the word "Publications," in the marginal note to rule 11

5b. The word "only" shall be added after the word "vote" at the end of line 5 in rule 13.

6. The following marginal note shall be inserted to clause (ii) of rule 20

"Provision of ballot boxes"

7. The figure "13" shall be substituted for "12" after the word "Rule" in rule 21.

By order

Secy to Govt
Rev Dept

21.2.1919

To The Superintendent, Government Central Press for publication in the Gazette and he is requested that 250 copies may be sent to this office.

GPB—30,(D)—7-7 14

Memo 10930-1

Copy forwarded to the Presidents of the Civil Courts of Bangalore and Mysore for information.

By order

for Secretary to Govt.

for Secy

21-2-1919